

REMARKS

Introduction

Claims 6-7 and 9-10 are pending, with claim 6 being independent.

Claims 6-7 and 9-10 have been amended to correct informalities in the claim language.

Claim 6 has been amended to incorporate all of the limitations of claim 8 and additional subject matter. Claims 1-5 and 8 have been cancelled without prejudice or disclaimer of the subject matter therein. Amendments made to the claims are supported by, for example, the feature disclosed in step 1004 and 1008 of Figure 10 of the present application and the corresponding description in the specification. No new matter has been entered.

Applicants respectfully request that the Examiner indicate acknowledgement of a claim for foreign priority and receipt of the certified priority document by checking appropriate boxes in item 12 of the Office Action Summary in the next official communication.

Objection to the Specification

The title stands objected to for minor informalities. It is respectfully submitted that the enclosed amendment obviates the alleged informalities. Accordingly, it is respectfully requested that this objection be withdrawn.

Objection to the Claims

Claims 1-10 stand objected to for minor informalities. It is respectfully submitted that the enclosed amendment obviates the alleged informalities. Accordingly, it is respectfully requested that this objection be withdrawn.

Statutory Subject Matter under 35 U.S.C. § 101

Claims 1-3 were rejected under 35 U.S.C. § 101 because the claimed invention is directed to non-statutory subject matter. Since claims 1-3 have been cancelled, the rejection of claims 1-3 is now moot.

Indefiniteness under 35 U.S.C. § 112

Claims 1 and 4 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. Since claims 1 and 4 have been cancelled, the rejection of claims 1 and 4 is now moot.

Anticipation under 35 U.S.C. § 102

Claims 1-5 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Dhar et al., U.S. Patent Publication Number 2002/0040312 (“Dhar”). Since claims 1-5 have been cancelled, the rejection of claims 1-5 is now moot.

Claims 6-10 were rejected under 35 U.S.C. § 102(b) as being anticipated by Du et al. (US 5,826,239). Applicants respectfully traverse this rejection for at least the following reasons.

The claimed subject matter features selecting a processing device used by an operation terminal unit according to the “occupancy status information.” The “occupancy status information” includes two statuses: a first status in which an operation terminal unit has already occupied a processing device or not; and a second status in which, if an operation terminal unit does not occupy the processing device, therefore an operation terminal unit is able to occupy the processing device or not.

If the operation terminal unit wants to occupy a financing (processing) device, it is necessary to check both of the operation terminal unit's status and the financing (processing) device's status. If either of the operation terminal unit's status and the financing (processing) device's status indicates that it is impossible to occupy the financing device, the operation terminal unit cannot occupy the financing (processing) device. By using the occupancy status information, it becomes possible that the operation terminal unit occupies the financing (processing) device which the operation terminal unit needs to occupy.

Applicants submit that Du fails to disclose the occupancy status information indicating the two statuses as recited by amended claim 6. The Examiner asserts, in rejecting original claim 8, that Du discloses the occupancy status information. However, Du relates to controlling resources included in application programs and database which are processed jointly by the plural types of terminal units and processing devices. Thus, Du does not need to check the status of the operation terminal unit and the processing device. As such, it is clear that, at a minimum, Du fails to disclose that the device management unit selects an unoccupied processing device by referring to the occupancy status information, which can indicate two occupancy statuses, and controls the processing device thus selected, as recited by claim 6.

Accordingly, Du does not anticipate claim 6 and any claim dependent thereon. Thus, Applicants respectfully request that the Examiner withdraw the rejection of claim 6-10 under 35 U.S.C. § 102(b).

CONCLUSION

Having fully responded to all matters raised in the Office Action, Applicants submit that all claims are in condition for allowance, an indication for which is respectfully solicited. If there are any outstanding issues that might be resolved by an interview or an Examiner's amendment, the Examiner is requested to call Applicants' attorney at the telephone number shown below.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

McDERMOTT WILL & EMERY LLP



Takashi Saito
Limited Recognition No. L0123

600 13th Street, N.W.
Washington, DC 20005-3096
Phone: 202.756.8000 TS:MaM
Facsimile: 202.756.8087
Date: February 12, 2009

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